

REMARKS / ARGUMENTS

By this Reply, Claims 2, 11, and 12 are cancelled and Claims 1, 5, 8, and 13 are amended. Claims 15 – 19 are added. Upon entry of this Reply, Claims 1, 3 – 10, 13 – 14, and 15 - 19 are pending in this Application.

In the Office Action, the Examiner variously rejected Claims 1-14 under Title 35, U. S. Code, Section 112, Para. 2, Section 102(b), and Section103(a), for reasons given.

Applicant's Attorney traverses the Examiner's rejections and requests reconsideration of this Application.

In view of the action taken in this Paper, Applicant's Attorney submits that all bases of rejection are obviated and/or overcome.

The Examiner's positions will now be addressed.

Preliminarily, the Drawings and the Specification have not been objected to and/or rejected by the Examiner. Accordingly, Applicant's Attorney will assume that the Drawings and the Specification are satisfactory.

Paragraphs 1 – 2:

Claims 1 – 14 are rejected under 35 USC Section 112, second paragraph, as being indefinite, for reasons stated. Claim 1 is amended to clarify terms and/or provide antecedent basis for terms. Claims 2 – 14 depend from Claim 1. Accordingly, the Examiner's rejection of Claims 1 – 14 under 35 USC Section 112 is believed obviated.

Claim 8 is amended to correct minor typo errors and to change “apparatus” to -- device--, in a manner similar to Claim 1.

Accordingly, Applicant’s Attorney submits that the claims herein are definite and that the Examiner’s rejections under 35 USC Section 112 are obviated.

Paragraph 7:

The Examiner advised that *Claims 12 – 14 would be allowable* if rewritten to overcome the rejections(s) under 35 USC Section 112, second paragraph, set forth in the Office Action, and to include all of the limitations of the base claim and intervening claims.

As filed, dependent Claim 12 depends from Claim 1, via Claims 11 and 2. Claim 1 is amended to include the requirements of Claims 12, 11, and 2, and Claims 2, 11, and 12 are cancelled. Accordingly, Claim 1 is submitted as being allowable and in condition for allowance.

Original dependent Claims 3 – 10 and 13 – 14 depend from Claim 1 and are submitted as being allowable for the same reason that base Claim 1 is now allowable.

Paragraphs 3-4 and 5-6:

In Paragraphs 3 and 4, Claim1 is rejected under 35 USC Section 102(b) as being anticipated by Lentz (US 3,307,755).

In Paragraphs 5 and 6, Claims 1 – 11 are rejected under 35 USC Section 103(a) as being unpatentable over Smith (US 3,802,612) in view of Lentz.

Applicant’s Attorney traverses these rejections.

The Examiner's rejections under Sections 102 and 103 are obviated and rendered moot by the amendments in the Claims herein. That is, the Examiner noted that certain of the claims were *allowable* over the prior art, if the claims were amended in a manner suggested by the Examiner. The Claims were so amended.

Accordingly, Applicant's Attorney submits that Claims 1, 3-10, and 13-14 patentably define over the prior art, are allowable, and in condition for allowance.

Applicant's Attorney notes the pertinent and prior art of interest made of record and not relied upon by the Examiner.

New Claims

By this Paper, newly added are independent Claim 15 and Claims 16 – 19 dependent thereon. Claim 15 is directed to a device for storing first and second firearms. The prior art, such as the Lentz and Smith references, is directed to apparatus for use with a single handgun/firearm, and not directed to the invention required by Claim 15. The prior art references of record do not show or suggest the device required by Claim 15.

Claim 15 requires that the device comprises "...a mounting bracket for securing said device to a stationary surface, a first and second frame, said frames being configured for securing, locking, and storing a respective of said first and second firearm in a manner free from engagement with the stock of the firearm, and means for mounting said first and second frames to said mounting bracket in side-by-side relation to one another and the mounting bracket".

The prior art does not show and suggest the arrangement required by Claim 15 wherein a pair of respective frames for storing an associated firearm are in side by side relation, or a frame configured for securing, locking, and storing a respective firearm in a manner free from engagement with the stock of the firearm.

The Lentz and Smith references are each directed to apparatus for use with a single item (i.e., a hand gun, Lentz, or a rifle, Smith). The prior art references do not show or suggest the arrangement required by Claim 15 wherein the stock of the firearm is free from engagement. In fact, Lentz and Smith teach away from such suggestion. Attention is drawn to Lentz, and the safety rod 8 inserted in the gun handle (stock), and Smith, and the L-shaped hasp 43 about the rifle stock 42.

The prior art references of record are submitted as not showing or suggesting the device required by Claim 15. Claim 15 is submitted as defining patentably over the prior art of record.

Dependent Claims 16 – 19 further define the device and are submitted as being patentable over the prior art of record.

SUMMARY / CONCLUSION

Applicant's Attorney submits that all bases of rejection have been traversed, obviated and/or removed by the action taken herein.

Applicant's Attorney submits that the Drawings and Specification are satisfactory and not subject to objection and/or rejection.

Applicant's Attorney submits that Claims 1, 3 – 10, 13 – 19 are definite, patentable, allowable over the prior art of record, and in condition for allowance.

A Notice of Allowance of Claims 1, 3 – 10, and 13 - 19 is respectfully requested.

If the Examiner feels that the prosecution of this Application can be expedited, then he is courteously invited to place a phone call to Applicant's Attorney at the number listed below.

Respectfully Submitted,


Arnold S. Weintraub, Reg. No. 25523
The Weintraub Group, PLC
32000 Northwestern Highway, Suite 240
Farmington Hills, MI 48334
(248) 865 - 9430 – Direct Dial
(248) 865 - 9436 – Facsimile

Dated: July 14, 2004